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HIGH SCHOOL INSTRUCTION MANDATORY

Board of Education Has No Choice in Matter—Ruling of State Board of Education Clears Up Gold-Sand Controversy—Board Not Required to Provide Transportation

The following letter recently sent out by the State Superintendent of Public Instruction explains itself. It also explains the action of the Franklin County Board of Education in establishing the six months high school of Gold-Sand in Sandy Creek and Gold Mine Townships. The question has arisen by some of the residents in the above territory, why this school was established after the people had voted it down. The Board of Education emphatically denies that this was done and further states that it has never put any proposition on any District when the District had voted against the measure.

On the 23rd of June, 1923, the people in the Sandy Creek and Gold Mine townships voted on a fifty cent local tax to be used as follows: To pay one-half of a high school building and to run the high school beyond the six months term. A majority of the registered voters, voted against the fifty cent tax and the tax was therefore not levied.

This did not, however, relieve the County Board of Education of the duty of providing a six months high school for the boys and girls in this territory. The Board of Education was simply carrying out a mandate of the Constitution, which says that the County Board of Education in each County in the State shall provide a high school and elementary school for six months for all the boys and girls between the ages of six and twenty one. This has been explained before in the Franklin Times, but this letter from the State Superintendent explains the situation so clearly that we are printing it for the benefit of those who might still be sceptical. All that is now necessary to have an accredited High School in this District is for the people to vote a fifty cent tax for the purpose of erecting the proper kind of building and running the school two months beyond the six months term. The question of voting this fifty cent tax, however, is left entirely to the voters of this territory.

The Right of Children To High School Advantage
Is there an obligation resting on the County Board of Education and the county Commissioners to provide high school facilities for all the children of the county who are qualified to enter? Does the Constitutional mandate end with graduation from the seventh grade?

The Constitution
Section 2, Article IX, of the Constitution says in part: "The General Assembly, at its first session under this constitution, shall provide by taxation and otherwise for a general and uniform system of public schools, wherein tuition shall be free of charge to all the children of the State between the ages of six and twenty-one years."

Section 3, Article IX, says: "Each county of the State shall be divided into a convenient number of districts, in which one or more public schools shall be maintained at least six months in every year; and, if the commissioners of any county shall fail to comply with the aforesaid requirements of this section, they shall be liable to indictment."

These sections can leave no doubt in the mind of anyone that the public schools must be kept open for six months in the year for all children between the ages of six and twenty-one years.

The Recognition of the High School
Is the high school a component part of the uniform system of public schools required by the Constitution?

In the Granville County case, in which the Board of Education brought suit against the County Commissioners to compel them to levy taxes to support the high schools for four months, the Supreme Court of North Carolina (N. C. 174, page 473) says:

"Under the legislation we are considering, these high schools, as stated, may be established in any and all portions of the State, and when established are under the governance and control of the public school authorities, are available to any and all members of the school population qualified to enter, in any and every county where they may be placed, and are properly a component part of the uniform system of public schools contemplated and provided for by the Constitution," on page 474 the court continues, as follows: "The tax, however, is authorized, as it should be by legislative enactment, and is to be levied and collected by the usual and ordinary administrative officers of the county government." This decision of the court can leave no shadow of doubt in the minds of anyone that the high school is a necessary and component part of the public school system when authorized by legislative enactment.

The Authorization in Law
Is there any direct authorization and requirement in law to furnish high school instruction for the constitutional term of six months to all that part of the school population qualified to receive it?

Section 28, Chapter 136, Public Laws of 1923, reads as follows: "It is the duty of the county board of education to provide an adequate school system for the benefit of all

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The Rights of a Seventh Grade Graduate

When a child shall have finished the seventh grade, high school instruction must be provided for him no matter where he may reside in the county. The obligation to provide it for him rests, in an unmistakable way, upon the county board of education and the county commissioners. Section 172, Chapter 136, Public Laws of 1923, reads as follows:

"It shall be the duty of the county board of education of each county to make a fair estimate in accordance with the law of the amount necessary to provide a six months school term, and it shall be the duty of the county commissioners in each county to determine and provide the amount necessary to maintain the school six months in accordance with law. And either the members of the board of education or the members of the board of county commissioners failing to perform their respective duties shall be guilty of a misdemeanor, and upon conviction shall be fined or imprisoned at the discretion of the court."

How To Provide High School Instruction

Sections 35 and 36 are the only restrictions placed upon the discretion of the county board of education as to the manner in which they shall provide high school instruction. They are directed by law not to offer high school instruction in one-teacher schools. In all other schools, the question of offering high school instruction, is clearly a matter for the county board of education to determine. They can provide it in their own way and according to their own plan, provided the instruction is adequate. Good school practice, however, would be their guide. Every child who has finished the seventh grade has a constitutional right to demand the advantages of high school instruction, and in my opinion, the boards can be required to furnish it, in an adequate and ample way.

Can the Board of Education Be Required To Transport Children To High School?

They cannot. The method of providing this instruction is a matter of discretion with them, but they have no discretion as to whether high school instruction shall be offered to all the qualified children who apply. The county board of education should have on file in their office a list of all children who are qualified to enter high school. If the county board, having this information at their disposal, should fail to take into consideration or should fail to make adequate provision for this group of the school population, for the constitutional term of six months, they would be liable in indictment.

This obligation, resting on the board of education and the county commissioners, is continuous. If, through oversight, they should fail to make provision at the proper time, they would not in this way be relieved of the obligation; but they would at any time in the year, in my opinion, be required to correct it. If these children are grouped in one community, there should be no question about making provision for them. If, however, they are widely scattered over the county, the matter of cost and other questions of practicality should be considered.

FOR SALE
Building lot 75 feet front on Elm street, adjoining the home of Mrs. E. S. Foster. Apply to Miss Virginia Foster, Louisburg, N. C. 9-26-24

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English hound dog, black ears, white and black spotted, strayed September 8th. Finder will please return him to J. G. Winston, Franklinton, N. C., and receive \$10 reward. 9-26-24

WANTED
White tenant wanted for a good farm near here. Address D. G. Egerton, Macon, N. C. 9-26-24

The North Carolina State Fair is one of the most educational agricultural fairs in the country, states Prof. C. B. Williams of State College. The dates this year are October 13 to 17 and indications are that it will be better than ever before.

NEW MEMBERS SIGNING

Raleigh, Sept. 23.—An average of ten new members for every day is the record made by the North Carolina Cotton Growers' Cooperative Association, said T. W. Chambliss, Director of Information, last night. Contracts are coming to the Raleigh headquarters by every mail and many of these are from farmers who are landlords.

The Association has now over 35,500 members and the spirit of loyalty shown by these men, according to their letters, is stronger than at any time during the life of the Association. The cotton crop is considerably later this season than it was last year but the deliveries of the new crop by the membership indicates that the receipts of the Association will be exceedingly satisfactory. Warehouses are reporting steadily growing receipts and members of the Association are expressing their satisfaction with the Association advances on the new crop.

No one has succeeded yet going clear through life hitting on high.

No Worms in a Healthy Child

All children troubled with Worms have an unhealthy color, which indicates poor blood, and as a rule, there is more or less stomach disturbance. GROVE'S TASTELESS CHILL TONIC given regularly for two or three weeks will enrich the blood, improve the digestion, and act as a General Strengthening Tonic to the whole system. Nature will then throw off or dispel the worms, and the child will be in perfect health. Pleasant to take. 60c per bottle.

MALARIA LEAVES A HEAVY MARK

Malaria, unfortunately, does not end with the breaking of Chills and reducing of Fever. Even after the patient is free from actual illness, the marks on his system are plain to see. Vitality is weak, appetite poor, weight fallen off, spirits low. In such conditions Wintersmith's Chill Tonic, a reliable anti-malarial prescription is invaluable.

Wintersmith's Chill Tonic builds up and restores what the malarial fever has taken away. It enriches and purifies the blood, aids the appetite, tones up the system, hastens the return of health and strength.

Taken as you feel Chills and Fever coming on, Wintersmith's Chill Tonic gives prompt and certain relief; and a long siege of Malaria can often be avoided. Its beneficial effects have been proved in thousands of cases, over 56 years of continued use. At your drug store. Popular size, 60c; mammoth size, \$1. Made only by the Wintersmith Chemical Co., Inc. Louisville, Ky. —Adv.

Tom Tarheel says that the only way to improve the soil in a large field is to grow and turn under legumes.

It's necessary to have a cash balance to be properly weighed in the social scale.

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And confidence is the growth of years—the child of the square deal and the father of success.

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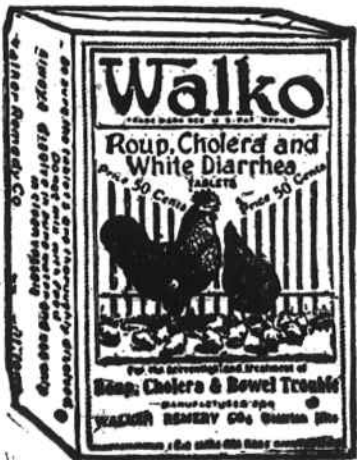
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Fire insurance has come to be not only a householder's security, but a national necessity. The home owner must protect his family and provide shelter; the renter must guard his household goods. Business concerns, factories, churches, schools, colleges and corporations must protect their property investments. The man who can thus provide the security of a community against financial loss from fire is its insurance agent, through his companies.

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Crossing the ocean in the old days was regarded as a thrill, but now it's more exciting to stay at home and cross the street. What has become of the old-fashioned man who used to say that the business rooms would all be vacant when the saloons were driven out?